

in fact so charged the jury as to permit it to be said that their verdict showed "that a comprehensive conspiracy existed" and that "Sobell was a part of it" (No. 112, O.T. 1952, Br. opp. p. 49). The representation thus made was that the jury's role had been respected by the trial judge and hence no conflict of circuits existed.

That the question was withdrawn from the jury and that Judge Kaufman's action in doing so is believed to have been approved by the denial of certiorari herein, was subsequently demonstrated by the comment of the learned trial judge on the proceedings on the motion for the reduction of this petitioner's sentence:

"Mr. Kilsheimer (Ass't U. S. Att'y): Judge Frank's dissent was predicated purely on a legal ground concerning the charge which he thought should have been given to the jury—

The Court: His dissent was purely on the ground, as I recall it, as to whether or not I should have submitted to the jury the question whether there were two conspiracies instead of one, instead of ruling on them as a matter of law.

Mr. Kilsheimer: And the majority found there was sufficient in your Honor's—

The Court: *And I have always understood that to be the law for many years—that there was a question of law for the judge to decide.*" (Emphasis supplied.)

United States District Court, S. D. N. Y., January 8, 1953, S. M. 17.

Responsible scholarly opinion has now reviewed the proceedings in these cases. And with respect to this aspect of the character of the charge to the jury it is stated in Note (1954) *The Rosenberg Case*, 54 Col. Law Rev. 219, 228:

" . . . the jury was directed in effect that if they found that Sobell had committed acts within the terms of the indictment it was their duty to find him a co-conspirator with the Rosenbergs, Greenglass and Gold, and that in no event was it their function to distinguish between atomic and non-atomic espionage. Thus the

issue of multiple conspiracies, that is, a Rosenberg-Sobell conspiracy distinct from a Rosenberg-Greenglass-Gold conspiracy, *was never submitted to the jury.*" (Emphasis supplied.)

A jury properly instructed would have been free to make the judgment—the factual judgment—as to the scope of the agreement into which petitioner had entered.<sup>7</sup> The "dragnet" of conspiracy prosecution may be employed to impose vicarious responsibility for unknown co-conspirators and unknown crimes only within the "scope of the agreement actually made"—this is so because a party may only be held to have "taken his chances as to its content and membership, so be it that they fall within the common purposes as he understands them. Nevertheless he must be aware of those purposes, must accept them and their implications, if he is to be charged with what others may do in execution of them." *United States v. Andolschek*, 142 F. (2) 503, 507 (per Learned Hand, J.).

"The somber fear that the cities of the United States might be the Nagasakis and Hiroshimas of a future war" (cited supra, p. 8, from Newman & Miller, op. cit.) brooded over the deliberations of the jury in this case, casting a blacker shadow indeed, than over the deliberations of Congress four years before, prior to the revelation of Soviet mastery of the atomic bomb. Its prejudicial effect was so manifest that the Government has not claimed in any court, at any stage, that if "separate conspiracies" were involved the joint trial constituted "harmless" error (cf. *Berger v. United States*, 295 U. S. 78). But the jury

<sup>7</sup> Compare the instructions quoted with approval in *Carrigan v. United States*, 197 F. (2) 817:

"An indictment charging a specified crime cannot be supported by proof of a different crime. If you find that two or more of the defendants entered into some conspiracy somewhere at some time, but that they did not enter into the conspiracy charged in the indictment, then you must acquit them of the conspiracy charged in the indictment."

197 F. (2) at p. 821, note.

was never allowed to consider whether Morton Sobell would have agreed to join a plot which might result in making a Hiroshima of the city where he lived with his wife and children, had he contemplated the possibility.

### Conclusion

WHEREFORE, it is respectfully prayed that leave be granted this petitioner, by reason of supervening circumstances, to file petition for rehearing herein, and that the order of the Court of October 13, 1952, denying certiorari, be vacated, that certiorari be granted to review the decision of the Court of Appeals for the Second Circuit, and on such review the judgment be reversed and a new trial ordered.

Respectfully submitted,

HOWARD N. MEYER,  
Counsel for Petitioner,  
205 West 34 Street,  
New York 1, N. Y.

HAROLD M. PHILLIPS,  
EDWARD KUNTZ,  
of Counsel.

AIR TEL

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

7/2/54 - 14  
NEW YORK, NEW YORK

Transmit the following Teletype message to: BUREAU

ATTENTION ASSISTANT DIRECTOR A.H. BELMONT. MORTON SOBELL.

WAS. ESPIONAGE-R. REBULET, 7/1/54. BUREAU ATTENTION IS DIRECTED TO NEW YORK LETTER DATED 6/25/54, WHICH REPORTED THE OPINION OF AUSA LEONARD B. SAND, SDNY. SAND AUTHORIZED THE RETURN OF CERTAIN ITEMS OF PROPERTY TO SOBELL AND REQUESTED THAT REMAINING ITEMS OF PROPERTY BE MAINTAINED BY THE NEW YORK OFFICE. IN ITS LETTER OF 6/25/54, NEW YORK REQUESTED THAT SAN FRANCISCO APPROACH SOBELL AS PREVIOUSLY SUGGESTED.

Mr. Tolson ED-36  
Mr. Boardman \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Belmont \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Parsons \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tamm \_\_\_\_\_  
Mr. Sizoo \_\_\_\_\_  
Mr. Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Holloman \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

KELLY

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/87 BY 3042 *Aut-DK*

- ③ - Bureau (101-2483) (RM)
- 1 - San Francisco (AM, RM)

*Teletype to S.F.  
cc - NY  
7-6-54  
EAP*

COPIES DESTROYED  
11 0 MAR 13 1961

*cc: Branigan*

Mr. Belmont

EX - 106  
RECORDED-12

101-2483-1133

13 JUL 7 1954

JAH:OAT (#6)  
100-37150

Approved

Special Agent in Charge

Sent

Per

TELETYPE

URGENT

JULY 6, 1954

SAC, SAN FRANCISCO

RECORDED 12  
105

101-2483-1/33

MORTON SOBELL, WAS., ESPIONAGE - R. REHYAIRTEL JULY SECOND.

MAKE NO CONTACT WITH SOBELL UNTIL AUTHORIZED BY BUREAU.

HOOVER

101-2483

cc - 2 - New York (By mail)

SAD: gks

NOTE ON YELLOW: Interview with Sobell, convicted espionage agent now in Alcatraz, under consideration.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/87 BY 3042 pmt/dsc

JUL 6 6 05 PM '54  
RECEIVED MEMPHIS ROOM

COPIES DESTROYED  
11 0 MAR 13 1961

Tolson \_\_\_\_\_  
Boardman \_\_\_\_\_  
Nichols \_\_\_\_\_  
Belmont \_\_\_\_\_  
Harbo \_\_\_\_\_  
Mohr \_\_\_\_\_  
Parsons \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tamm \_\_\_\_\_  
 Sizoo \_\_\_\_\_  
Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holloman \_\_\_\_\_  
Gandy \_\_\_\_\_

U.S. DEPT. OF JUSTICE  
E. R. I.  
JUL 6 2 10 PM '54  
REC'D - LOS ANGELES OFFICE

FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE  
COMMUNICATIONS SECTION  
JUL 6 1954  
FBI - LOS ANGELES  
REC'D - SEYMOUR  
TELETYPE

77 JUL 14 1954

214

W. A. B. a

180

SAC, San Francisco (65-4228)

July 15, 1954

Director, FBI, (101-2483)

MORTON SOBELL, was.  
ESPIONAGE - R

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/14/87 BY 3042 fwt-Dtc

ReButel 7-6-54.

The Bureau accepts the recommendations made by you and the New York City office concerning a series of contacts with Sobell for the ostensible purpose of determining what disposition he desires of certain specified items of his personal property.

You are authorized to designate an older agent with a personality which will inspire confidence for the contact. He should make a thorough review of the Sobell case and be completely familiar with all its aspects. Not all of the property should be discussed during the first visit, for there must be a valid reason for additional contacts.

Sobell's co-operation should not be directly solicited, but he should be given every opportunity to talk if he so desires. No promise or commitment should be made to him, beyond what is now within the scope of your authority concerning the return of his property.

It is suggested that the contact be made neither directly after nor directly before a visit from his wife, and thought should be given to selection of the most propitious time. These contacts must be most carefully planned, bearing in mind that if Sobell's co-operation is secured, he may be able to identify additional members of the Rosenberg network or to augment the fragmentary information now available.

The Bureau and the New York office should be kept promptly and fully informed of all developments.

cc - 2 - New York (100-37158)

Tolson \_\_\_\_\_  
Boardman \_\_\_\_\_  
Nichols \_\_\_\_\_  
Belmont \_\_\_\_\_  
Harbo \_\_\_\_\_  
Mohr \_\_\_\_\_  
Parsons \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tamm \_\_\_\_\_  
Sullivan \_\_\_\_\_  
Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holloman \_\_\_\_\_  
Gandy \_\_\_\_\_

GAD:rmr

MAILED 11

JUL 16 1954

1954 JUL 16 FRI

RECORDED - 70

EX-129

DEPT. OF JUSTICE

FBI

RECEIVED

JUL 20 1954

101-2483-1134  
RECEIVED IN CHARGE  
JUL 20 1954  
W.A.C.

## Office Memorandum • UNITED STATES GOVERNMENT

TO : A. H. Belmont

DATE: July 15, 1954

FROM : W. A. Prudden

SUBJECT: MORTON SOBELL, was.  
ESPIONAGE - RClassified by 3042 / int ppe G.I.R.  
Declassify on: OADR  
4/17/87

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Harbo	
Mr. Mohr	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Sizoo	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

Sobell convicted 3-29-51, with Julius and Ethel Rosenberg of conspiracy to commit espionage. Sentenced to thirty years imprisonment 4-5-51, and is now in Alcatraz. Motion for Leave to File Second Petition for Rehearing denied by Supreme Court 6-7-54.

We know from [REDACTED]

[REDACTED] Sobell has refused to assist, but has not been interviewed since his arrest 8-18-50, at Laredo, Texas.

We have been considering various possibilities of reaching Sobell. His wife and parents are openly hostile; character of Alcatraz inmates precludes using trustee or "stool"; direct approach might be used as propaganda by National Rosenberg-Sobell Committee. NYC and San Francisco recommend a series of contacts with Sobell by an experienced agent using pretext of determining what disposition he desires of materials taken from him at time of arrest. List of property, which consists largely of personal papers, has been examined by NSA, SDNY, who has approved return to Sobell of specific items. This course appears to be the best. Sobell's case is now fully adjudicated, he has had time to consider the prospect of another ten or more years in Alcatraz, and there appears to be no possibility of embarrassment to Bureau.

ACTION -

There is attached for your approval a letter authorizing San Francisco to make contacts with Sobell for the ostensible purpose of disposing of his personal property.

Attachment

GAD:rmp rmp

Classified by 2355  
Exempt from 1,2,3  
Date of Declassification Indefinite

RECORDED 149

101-2483-1135

13 JUL 20 1954

TOP SECRET

OFFICE MEMORANDUM - UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI  
FROM : SAC, NEW YORK (100-107111)

DATE: 7/15/54

SUBJECT: NATIONAL COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL IN THE ROSENBERG CASE  
INTERNAL SECURITY-C

STRICTLY CONFIDENTIAL

MORTON SOBELL  
ESPIONAGE-R

[redacted] of known reliability, made available to the New York Office information concerning the above-captioned subject, obtained from the building located at 23 West 26th Street, New York City. This building is occupied by the American Committee for Protection of Foreign Born, Joint Anti-Fascist Refugee Committee and Veterans of the Abraham Lincoln Brigade, all of which have been declared by the Attorney General of the United States to fall within the purview of Executive Order 9835. In addition, other Communist Party front groups and individual Communist Party members or sympathizers occupy offices at this address. Prior to 2/1/53 the State and National Offices of the Civil Rights Congress were located at this address. Subsequent to that date space in the building has been occupied by SRT Publications, Inc., publishers of "New World Review" formerly known as "Soviet Russia Today" which has been cited as a Communist Front by the Special Committee on Un-American Activities, House of Representatives, 6/25/42 and 3/29/44.

Strict care must be exercised so that the existence of this important source of evidence will not become known to any outside agency. It is also to be noted that because of the nature of this source of information it will be impossible to recontact the source regarding information furnished.

Date information received 7/6/54

Identity of employee who can testify as to the receipt of the exhibit

SA E.E. DEANE & SE V.E. MC PHEE

following disposition is being made of the original exhibit:

- ) Placed in NY file # 100-37158 & Serial 100-109849 Exhibit #
- ) Forwarded to you for your information and whatever action you deem appropriate.

Description of Exhibit: A letter, issued by the NY Committee to Secure Justice for MORTON SOBELL in the ROSENBERG Case, denoting the beginning of a campaign to present the facts in the ROSENBERG-SOBELL case to effect any plans by persons in the present administration to use this case as a base for a new rash of spurious espionage cases; stating that the NY Committee is separating itself completely from the National Office in order to carry out a broader program of

Encls. (2)

INDEXED-88

- 1 - NY 100-37158 (MORTON SOBELL) {Enc.}
- 1 - NY 100-109849 (HELEN SOBELL) {Enc.}

NOT RECORDED  
165 JUL 19 1954

ENCLOSURE  
53 JUL 29 1954

EX-113

~~CONFIDENTIAL~~

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/87 BY 3042 Jut-BAC

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP(S)

ORIGINAL COPY FILED IN 100-387835-1026

Letter to Director  
NY 100-107111

education and will continue to make every effort to assist the National Office financially; and stating that presently, in addition to HAZEL SOBELL, three full-time persons, one of whom is a secretary, and in addition, one part-time secretary, make up the staff of the National Office.

N.Y.



Dear Friend:

There can no longer be any doubt of the widespread interest and vitality of the Rosenberg-Sobell case. The activities during the anniversary period have proven that there are a good many people who see in the continued injustice to Sobell a threat to the lives and liberties of an enormous number of men and women. Within a relatively short period of time funds were raised to pay for a number of large ads in daily newspapers, and eight very well attended memorial meetings were organized.

These brief successes should dispel any lingering doubt of the importance of the Sobell case, or doubt of interest when the issues are properly set forth.

A number of new developments have also occurred in this period. First a line of investigation bearing on new evidence directly related to Morton Sobell has borne fruit. This in turn opens new lines of search for more such evidence. In due time, and under appropriate circumstances, this new material will be made public.

Second, two new attorneys have entered the case. Their background is midwest, their reputations conservative, and their practice confined in the main to corporation cases. Within a very short time their names shall be made public. Meanwhile, you will be interested in knowing that they both feel deeply about the case.

In view of the foregoing a number of issues demand attention

First must come the knowledge that there is no vacation for Morton Sobell at Alcatraz, nor for those who plan to use the Rosenberg-Sobell case as a base for a new rash of spurious "espionage" cases. There is every appearance that such new cases are in the offing. The present administration seems to be moving in the direction of imitating its "own" Rosenberg-Sobell case with which to prove that it is as "patriotic" as Senator McCarthy.

What is required then, is a campaign of enlightenment and education. The facts in the Rosenberg-Sobell case, and action on behalf of Morton Sobell will militate against those violations of due process which alone can place the innocent in prison or worse. This education must take place before, not after, such unscrupulous attacks are made on life and liberty.

The prime requisite for the success of such a campaign is its public nature. Our recent meetings and newspaper ads are steps in that direction. Much more, however, must be done. Conferences of inquiry, letters to editors, ads, and other public forms are needed.

In addition, an approach to specialized groups is essential. We must not fail to realize that the McCarthy-Army hearings and the Oppenheimer case have opened the minds of a great many scientists. Considering that at least two of our country's greatest scientists understand the Rosenberg-Sobell case, it would be unpardonable to ignore the thousands of scientists who are greatly concerned with every threat to their freedom, dignity and work. If the truth were known to them they would consider it intolerable that one of their number should sit in Alcatraz today.

Likewise, with such eminent attorneys here and abroad, who have spoken up on the case we cannot assume that they are disinterested. The Columbia Law Review Journal, the intercession of the two new attorneys, the mail we receive from lawyers -- all these attest to their interest and concern. We must realize that many lawyers understand that miscarriages of justice, by design or accident, may begin in the political area, but will quickly spread to other areas. At this very moment there are two such cases in New York, and there is a strong current of feeling against high-handed conviction-at-all-costs prosecutors.

Nor are the ministers of our country unconscious of their obligation, be they Christian or Jewish. Many of them are keenly sensitive to the attacks on their calling from elements in and out of Congress. They also desire, many of them, that their position in the Rosenberg-Sobell case be vindicated, for that will be the most fitting reply to the unethical attacks upon them. Vindication would strengthen them and their churches and synagogues in the preaching and practice of the moral concepts that led them to speak on behalf of the Rosenbergs.

It is a fact that some of our committees have approached scientists, lawyers, clergymen, social workers and other professionals and have received mixed responses. This does not at all prove apathy; it proves only that our arguments were inconclusive, that we ourselves have much to learn about this case and its relationship to the people and issues in our country.

Much new literature will have to be produced, emphasizing not only the facts in the case but also the compelling interest which must move specific groups as well as the general public.

Our second problem is an old one -- financial. New court fees, new publication costs, new organizing expenses are on the agenda. To these we must add debts that have risen astronomically, due in the main to our reliance on the New York Committee to carry their own as well as the National Committee's burden of expenses. As of this coming week the New York Committee, in order to carry out a broader program of education, is separating itself completely from the National Office. It will act as independently as other Committees throughout the country. Also, in a very responsible fashion, it is making every effort to assist the National Office financially.

The National Office, as you know, exists only by grace of the voluntary contributions of committees and persons throughout the country. It neither desires nor seeks any involuntary arrangement. It therefore relies on the sense of responsibility to the case that other Committees have shown.

The area in which the National Office functions is one that cannot be handled by local groups. The obtaining and consultation with counsel for Sobell, the printing of pamphlets, the conduct of investigations, the exchange of information and experience, the exploring of new national avenues for educational material, the organization of national campaigns, to some extent the organizing of new committees, the finding of publishing outlets for books on the case -- these and other activities require a national office and national staff.

At the present moment there are, in addition to Helen Sobell, three full time persons, one of whom is a secretary. There is, in addition, one part time secretary. Although in terms of numbers this staff is entirely inadequate to handle all the above problems, they make up for it with incredible energy, devotion, and long hours. (One of these staff members may soon leave the National Office to work for the New York Committee). Were it not for the many hours of volunteer time put in by other National Committee members, the work of the National Office would be utterly impossible.

By dint of great patience and hard work this small staff will carry out its obligations in the next few months, although it is at present a good many weeks behind in salaries.

But other obligations will not be set aside so easily. Funds are needed very quickly and very regularly.

We are confident that our various Committees will not turn aside from these problems. They understand too well the importance of this case to our country.

Within the very near future we hope that someone from the National Office will be able to tour the country. These trips, in the past, have always been productive, creative, and remunerative. We ask, however, that you do not wait until then.

As you can see, there is a spirit of optimism among us. It is based on many tangible and intangible factors. We know that optimism is no substitute for practical work. We can offer only so much by way of suggestion and the rest we must learn from your experience.

Let us know what your thinking is.

Sincerely

*Joseph Brainin*  
Joseph Brainin

*David Alan*  
David Alan

For The Committee

## FEDERAL BUREAU OF INVESTIGATION

**CONFIDENTIAL**

FORM NO. 1

THIS CASE ORIGINATED AT

NEW YORK

REPORT MADE AT NEW YORK	DATE WHEN MADE 7/28/54	PERIOD FOR WHICH MADE 5/10, 26, 6/7/54, 15, 25; 7/8/54	REPORT MADE BY JOHN A. HARRINGTON 1s
TITLE MORTON SOBELL		CHARACTER OF CASE ESPIONAGE - R	
<p>ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 4/17/87 BY 3042 <i>Jul-P</i></p> <p><b>SYNOPSIS OF FACTS:</b></p> <p>MAX ELITCHER, on reinterviews, could furnish no further information concerning subject and could not recall at any time discussing the "thinking machine" or "Project Thumper" with subject. JOEL BARR worked on the "Dopler" Project at Sperry Gyroscope and had no access to any data relating to "Project Thumper". On 6/4/54 subject's attorney filed in Supreme Court a motion for leave to file petition for a rehearing on the denial of his original petition for writ of certiorari. On 6/7/54 the Supreme Court denied this motion. Info concerning "Project Thumper", "thinking machine" and Mark 56 set forth.</p> <p style="text-align: right;">- P* -</p> <p>AGENCY <u>ONI; OSI; RAB; G-2</u>        REQ. REC'D _____        DATE FORW. <u>8-10-54</u>        HOW FORW. <u>R/S</u>        BY <u>JPL</u></p> <p><b>DETAILS:</b></p> <p>On May 10, 1954, MAX ELITCHER was contacted and questioned to determine whether he had further information concerning MORTON SOBELL and to further determine whether or not SOBELL had ever discussed with him the so-called "thinking machine" or "Project Thumper".</p> <p style="text-align: right;">APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP(S) OF DATE 10-19-77 <i>WAB</i></p> <p>Classified by <u>2356</u>        Exempt from GDS Category <u>3</u>        Date of Declassification Indefinite</p>			
APPROVED AND FORWARDED:  <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
<p>110 MAR 13 1961          6-Bureau (101-2483) (RM)          1-Albany (Info.) (RM)          (copies cont'd)          3-New York (100-37158)</p>		<p>101-2483-1137 RECORDED 20          INDEXED - 20          8 JUL 29 1954          EX-106</p>	

PROPERTY OF FBI—This confidential report and its contents are loaned to you by the FBI and are not to be distributed outside of agency to which loaned.

55 AUG 10 1954

**CONFIDENTIAL**

NY 100-37158

ELITCHER was subsequently recontacted on May 26, 1954, June 15, 1954, and July 8, 1954. He stated that he had no recollection of ever having discussed with SOBELL the so-called "thinking machine" or "Project Thumper". He advised that he has a recollection of having heard about these projects when he was at General Electric on a visit but he did not associate one project with the other. He recalled that a computer of advanced design was referred to as a thinking machine but he had no knowledge of its actual use in connection with the work being done by General Electric. He stated that as far as "Project Thumper" was concerned, his work never brought him in contact with any phase of this project and he was unaware of its specific objectives. He said he was basically interested in the Mark 56 Project.

On June 10, 1954, SA LEO H. FRUTKIN interviewed Mr. FRANK GILLIAR, Security Officer of the Sperry Gyroscope Corporation, Great Neck, Long Island, New York. Mr. GILLIAR advised that according to Miss HELEN HEATH, personal secretary to Dr. WILLIAM T. COOK, head of Radio Engineering at Sperry Gyroscope, JOEL BARR, during his employment at Sperry's, worked on the so-called "Dopler" Project and on tubes. He advised that BARR'S department had no contact with "Project Thumper" and BARR had no access to any data relating to "Project Thumper".

Mr. REGINALD DILLI, Assistant Clerk of the United States Supreme Court, Washington, D. C., advised SA HOWARD FLETCHER, JR., of the Washington Field Office, that HOWARD MEYER, attorney for MORTON SOBELL, on June 4, 1954, filed with the Supreme Court a motion for leave to file a petition for a rehearing on petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Mr. HAROLD M. PHILLIPS and EDWARD KUNTZ, trial counsel for SOBELL, joined in this motion.

(copies cont'd)

1-Buffalo (Info.)(RM)  
1-Boston (Info.)(RM)  
1-Chicago (Info.)(RM)  
1-Cincinnati (Info.)(RM)  
1-Cleveland (Info.)(RM)  
1-Detroit (Info.)(RM)  
1-Indianapolis (Info.)(RM)

1-Los Angeles (Info.)(RM)  
1-Miami (Info.)(RM)  
1-Newark (Info.)(RM)  
1-New Haven (Info.)(RM)  
1-Philadelphia (Info.)(RM)  
1-Pittsburgh (Info.)(RM)  
1-San Francisco (Info.)(RM)  
1-Washington Field (Info.)(RM)

NY 100-37158

On June 17, 1954, the United States Supreme Court ruled "The motion for leave to file a second petition for rehearing is denied. The Chief Justice (WARREN) took no part in the consideration or decision of this application."

Assistant United States Attorney LEONARD SAND, Southern District of New York, advised that this motion for leave to file a petition for a rehearing was not a new proceeding but was a continuation of the original application. He advised that to his knowledge, there is no litigation, application, or proceeding on the part of MORTON SOBELL pending before any court at this time. He advised that since there are no applications currently in the courts on the part of SOBELL, it was proper that certain articles of SOBELL'S property that were taken from him at the time of his arrest be returned to him.

The current aims and literature issued by the National Committee to Secure Justice for MORTON SOBELL in the ROSENBERG Case are to secure support and petitions urging that Mr. JAMES V. BENNETT, Director of Federal Prisons, remove SOBELL from Alcatraz, where he is currently incarcerated, to some other penitentiary, preferably in the East.

At Schenectady, New York

R.O. DUNHAM, Marine Systems Engineering, Aeronautics and Ordnance Systems Division, Schenectady, furnished the following information to SA JOSEPH P. BENSON of the Albany Office.

Mr. DUNHAM advised that a final report concerning "Project Thumper" was issued on June 30, 1949. He advised that this report was not classified and contained 216 pages. He stated that it bore no technical report number.

NY 100-37158

DUNHAM advised that no separate report was issued on the digital computer or "Thinking Machine" related to "Project Thumper." He stated that the following six digital computer reports were issued:

<u>Tech. Report No.</u>	<u>Classification</u>	<u>Pages</u>
TR55412	Unclassified	31
TR55413	Unclassified	23
TR55414	Restricted	25
TR55415	Confidential	44
TR49A0417	Secret	95
TR49A0422	Unclassified	30

Mr. DUNHAM furnished the following information pertaining to technical reports on "Project Thumper", beginning with TR45841 and ending TR55330:

<u>Tech. Report No.</u>	<u>Classification</u>	<u>Pages</u>
TR45841	Confidential	11
TR45842	Confidential	18
TR45843	Confidential	6
TR45844	Confidential	15
TR45846	Confidential	10
TR45849	Confidential	24
TR55302	Confidential	15
TR55307	Secret	12
TR55308	Confidential	25
TR55311	Secret	13
TR55313	Secret	18
TR55314	Confidential	19
TR55315	Secret	12
TR55318	Confidential	45
TR55330	Secret	21
Total		264 pages

NY 100-37158

The following information was furnished by KENNETH BRIGGS, Restricted Books Division, Aeronautics and Ordnance Systems, General Electric Company, Schenectady, pertaining to ordnance pamphlets 1600 through 1600F:

OP 1600 - "Gun Fire Control System Mark 56", (preliminary)  
Published January, 1946 PP173 Classification, restricted,  
now confidential.

Mr. BRIGGS advised that this pamphlet is presently being revised for the first time. He stated that the instant volume was not published by the General Electric Company, and that he does not know by whom it was published.

OP 1600A (Volume 1) - "Radar Equipment Mark 35 Mod For Gun Fire Control System Mark 56"  
Published October 14, 1949 PP 374 Classification, confidential

It is indicated in this volume that it supercedes 1600A (Preliminary) and 1600A (Interim), copies of which Mr. BRIGGS advised were not available.

OP 1600A (Volume 2), same title as 1600A (Volume 1)  
Published October 14, 1949, containing diagrams which go with text of Volume 1, pages 375 through 461. Classification, confidential.

OP1600B - "Gun Fire Control System Mark 56 Physical Description"  
Published January, 1941 PP 241 Classification, restricted.

OP1600B (Volume 2), according to Mr. BRIGGS is now being prepared.

OP1600B (Volume 3), according to Mr. BRIGGS published on June 24, 1953 contains 286 pages and is restricted.

OP1600C (Volume 1) - "Gun Fire Control System Mark 56 Maintenance" Published September 12, 1950 PP406  
Classification, restricted.



~~CONFIDENTIAL~~

NY 100-37158

OP 1600C (Volume 2) - "Gun Fire Control System Mark 56  
Mod 18 For 5"/38-3"/50 cal Guns - Functional Circuit  
Diagrams"  
Published July, 1952 PP9 (introductory material) Figures 33  
Classification, restricted.

OP 1600C (Volume 3) - "Gun Fire Control System Mark 56  
Mod 22 For 5"/54 - 3"/50 cal Guns and Mark 56 Mod 32  
For 6"/47 - 3"/50 cal Guns - Functional Diagrams"  
Published July, 1952 PP9 (Introductory Material)  
Figures 34 Classification, restricted.

OP 1600C (Volume 4) - "Gun Fire Control System Mark 56 Mod 11  
For Single 3"/50 cal Guns Functional Circuit Diagrams"  
Published July 25, 1952 PP7 (Introductory Material)  
Figures, 24 Classification, restricted.

OP 1600C (Volume 5) - "Gun Fire Control System Mark 56  
Mod 15 For 5"/30 - 3"/50 cal Gun - Functional Circuit  
Diagrams"  
Published July 25, 1952 PP 7 (Introductory Material)  
Figures, 34 Classification, restricted.

OP 1600F (First revision) - "Gun Fire Control System Mark 56  
Operating Instructions."  
Published June 7, 1949 PP 141 Classification, restricted.

Mr. BRIGGS advised that this pamphlet was not  
published by General Electric Company, and that he does  
not know by whom it was published. He stated that OP 1600 D  
and E were not published insofar as he knows.

- P -

~~CONFIDENTIAL~~

- 6 -

NY 100-37158

ADMINISTRATIVE PAGE

MISCELLANEOUS

All offices receiving a copy of this report are advised that pursuant to Bureau authority, San Francisco, in the immediate future, will contact SOBELL in the Federal Penitentiary at Alcatraz. The ostensible purpose of this contact will be to determine what disposition SOBELL wishes to be made of his property. It is expected that SOBELL will be contacted two to four times. The purpose of this contact is to secure SOBELL'S cooperation.

LEADS

ALL OFFICES LISTED (INFO.)

One copy of this report is being furnished for information to the above offices pursuant to Bureau instructions.

NEW YORK

At New York, New York

Will complete review of the file in this case and its relationship to the case of JULIUS ROSENBERG and WILLIAM PERL. In the event that no leads are developed as a result of this review, will submit to the Bureau a recommendation as to future action in this case.

REFERENCE

Report of SA HOWARD FLETCHER, JR., 6/24/54,  
Washington, D. C.  
Report of SA JOHN A. HARRINGTON, 4/26/54, New York.  
Report of SA JOSEPH P. BENSON, Albany, 6/8/54.

BULKY EXHIBIT - INVENTORY OF PROPERTY ACQUIRED AS EVIDENCE

Bufile: 101-2483

New York

Field Division

8/1/54

Date

Title and Character of Case:

MORTON SOBELL, was  
ESP - R

**SECRET**

Date Property Acquired:

10/10/50

Source From Which Property Acquired:

Location of Property or Bulky Exhibit:

Exhibit vault  
290 Broadway, NYC

Reason for Retention of Property and  
Efforts Made to Dispose of Same:

Pending final disposition of case

Description of Property or Exhibit and  
Identity of Agent Submitting Same:

1 pair eyeglasses

Classified by 3042 Jut-DK  
Declassify on: OADR  
4/20/87

[Submitted to Bureau by Legat, Mexico City]

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP(S) OF Class  
DATE 4-18-78 g8782

1 - NY 66-6619

Classified by 2355  
Exempt from GDS Category 1  
Date of Declassification Indefinite

**SECRET**

101-2483  
NOT RECORDED  
158 AUG 26 1954

Field File #: 100-37158

Sec. 6

60 SEP 3 1954

Est Sec.

## Office Memorandum • UNITED

GOVERNMENT

TO Director, FBI (101-2483)

DATE: August 6, 1954

FROM: SAC, San Francisco (65-4228)

SUBJECT: MORTON SOBELL, Was.  
ESPIONAGE - RALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/87 BY 3042 pwt-Ple

Re Bulet dated 7/15/54.

Pursuant to Bureau suggestions in relet that contact should not be made with subject directly after nor directly before a visit from his wife, the following information is being submitted.

For the information of the Bureau and New York, subject's wife contacted him at Alcatraz on July 27, 1954, and is scheduled to again contact him on August 2, 1954. It is noted that the above contacts follow the apparent pattern, in that subject's wife tries to arrange her visits in such a way that she can have one visit near the end of the month and another visit early in the month. It is anticipated that HELEN SOBELL will continue to follow this pattern in the future and should therefore make her next visit to San Francisco the latter part of September in order to have a visit in September and in October.

Arrangements have been made with officials at Alcatraz by the San Francisco Office to have the San Francisco Office advised of any irregularities for visiting privileges on the part of HELEN SOBELL.

It is anticipated that ~~that~~ <sup>first part</sup> ~~during~~ a request for a visit during the ~~first~~ part of September that SOBELL will be approached during the latter part of August or the first part of September.

FRE/bpt  
cc's:

New York (100-37158)

RECORDED - 82

INDEXED - 82

101-2483-1138  
10 AUG 10 1954EX-102  
FBI  
C.I.D. ESPIONAGE  
AUG 11 2 54 PM '54

BULKY EXHIBIT - INVENTORY OF PROPERTY ACQUIRED AS EVIDENCE

Bufile: 101-2483

New York

Field Division

8/1/54

Date

Title and Character of Case:

MORTON SOBELL, was  
ESP - R

Date Property Acquired:

8/29/50

Source From Which Property Acquired:

Search of subject's person incidental  
to arrest

Location of Property or Bulky Exhibit:

Exhibit vault  
290 Broadway, NYC

Reason for Retention of Property and  
Efforts Made to Dispose of Same:

Pending final disposition of case

Description of Property or Exhibit and  
Identity of Agent Submitting Same:

1 American Airlines ticket #012A 121896. Return trip portion  
of ticket Mexico City to NYC unused

Submitted by SA REX I. SHRODER

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 4/17/87 BY 3042 fwt-02c

1 - NY 66-6649

101-2483-

NOT RECORDED

158 AUG 28 1954

Field File # 100-3715

60 SEP 3 1954



## Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (101-2483)

DATE: August 17, 1954

FROM : SAC, SAN FRANCISCO (65-4228)

SUBJECT: MORTON SOBELL  
ESPIONAGE - RALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/87 BY 3042 *pat. ole**New York, N.Y.*

Re LA airtel 8/12/54 captioned HELEN SOBELL, S - C, wherein information was furnished to the effect that HELEN SOBELL arrived in Los Angeles from San Francisco on August 7, 1954, with her son, MARK, and that she would reside in Los Angeles as a guest of ISIDORE and FRANCES ADLER, 3557 Meier Street, Venice, California. This letter also advised that HELEN SOBELL would be in Los Angeles six to eight weeks and then visit her husband, MORTON SOBELL, at Alcatraz Prison before returning to New York City.

W. J. BERTRAND, Secretary to the Warden, U. S. Penitentiary, Alcatraz Island, on August 11, 1954, advised that he had received information that for approximately the next two months HELEN SOBELL will be residing in care of Miss WIDGE NEWMAN, 2290 Edendale Avenue, Los Angeles 39, California.

The above information apparently conflicts with the information set forth in referenced Los Angeles airtel.

The indices of the San Francisco Office contained no record of WIDGE NEWMAN, and Los Angeles is requested to advise of any information concerning her in the indices of that office.

For the further information of the Bureau, Los Angeles, by memorandum dated August 10, 1954, advised that on [REDACTED] submitted a mimeographed sheet on which there was contained a recent official statement made by MORTON SOBELL as follows:

"I have heard from my Attorneys and read in the magazines (I am not allowed to read newspapers here) that Senator MC CARTHY is using the charge of association with me as a threat against other scientists. The same methods, and personnel, are now being used by Senator MC CARTHY as were used by the Attorney General's office to bring

FRE/jm

cc: New York (100-371580)  
2- Los Angeles (100-15973)RECORDED - 6  
INDEXED - 6

101-2483-1139

1 AUG 23 1954

*Let Rag Thompson  
2/3/54  
cc McNey III*

100-387835-1

To Director, FBI (101-2483)  
From S.O., San Francisco (65-4228)  
Subject: MORTON SOBELL  
ESPIONAGE - R

August 17, 1954

about my conviction. This continuation and broadening out of the spy scare can only result in the same horrible consequences to other innocent people as it has already had for me....

"Even three and one-half years in prison have not shaken my faith that I was right in telling the truth of my innocence even if it meant being sent to Alcatraz. As soon as the American people understand that the same methods which are now being so vigorously denounced were used to bring about my unjust conviction I will be vindicated."

Despite the above statement by MORTON SOBELL, it is the intention of the San Francisco Office to proceed with the interview of SOBELL as set forth in San Francisco letter August 6, 1954, and this interview will be conducted some time during the latter part of August or first part of September, UACB.

Assistant Attorney General  
William F. Tompkins  
Director, FBI

August 31, 1954

**MORTON SOBELL**  
**ESPIONAGE - R**

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/87 BY 3042 Jut-PSC

Information has been received that Morton Sobell recently made an official statement as follows:

"I have heard from my Attorneys and read in the magazines (I am not allowed to read newspapers here) that Senator McCarthy is using the charge of association with me as a threat against other scientists. The same methods, and personnel, are now being used by Senator McCarthy as were used by the Attorney General's office to bring about my conviction. This continuation and broadening out of the spy scare can only result in the same horrible consequences to other innocent people as it has already had for me....

"Even three and one-half years in prison have not shaken my faith that I was right in telling the truth of my innocence even if it meant being sent to Alcatraz. As soon as the American people understand that the same methods which are now being so vigorously denounced were used to bring about my unjust conviction I will be vindicated."

The above statement was printed on a mimeographed sheet. The foregoing is being furnished to you for your information.

RECORDED - 72

101-3483-1139

1 - Assistant Attorney General (routing slip 0-6)  
EX-104 Warren Olney III

BNH:

JPL:em

CC - 100-387835 (Nat'l. Comm. to Secure Justice in Rosenberg Case)

NOTE: Sobell was convicted with Julius and Ethel Rosenberg of conspiracy to commit espionage and received a 30-year sentence which he is now serving in Alcatraz Penit. The National Committee to Secure Justice in the Rosenberg Case is presently conducting a campaign to have Sobell transferred from Alcatraz. This info. recd. from [redacted]

Tolson \_\_\_\_\_  
Boardman \_\_\_\_\_  
Nichols \_\_\_\_\_  
Belmont \_\_\_\_\_  
Harbo \_\_\_\_\_  
Mohr \_\_\_\_\_  
Parsons \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tamm \_\_\_\_\_  
 Sizoo \_\_\_\_\_  
Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holloman \_\_\_\_\_  
Gandy \_\_\_\_\_

COMM - FBI  
AUG 31 1954  
MAILED 31

U.S. DEPT. OF JUSTICE

SEP 9 1954

62  
670  
[Signatures]

100-387835-100



FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Harbo	
Mr. Mohr	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Sizoo	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

SAC, SAN FRANCISCO (65-4228)

8-27-54

AIR-TEL

Transmit the following Teletype message to:

DIRECTOR, FBI (101-2483)

MORTON SOBELL, ESP - R. INITIAL INTERVIEW WITH SOBELL CONDUCTED ALCATRAZ PRISON THIS DATE. A PORTION OF ARTICLES TO BE RETURNED TO SOBELL DISCUSSED WITH HIM AND ARRANGEMENTS MADE FOR FUTURE INTERVIEWS AND DISCUSSIONS RE OTHER ITEMS TO BE RETURNED TO HIM. PRISON RULES FORBID RETURN OF ANY ITEMS DIRECTLY TO SOBELL. HE REQUESTED ITEMS BE DELIVERED TO BENJAMIN DREYFUS, SF. DREYFUS, ATTORNEY, WELL KNOWN FOR DEFENSE OF COMMUNISTS. LETTER OF RELEASES WILL BE OBTAINED FROM SOBELL AND ITEMS WILL BE DELIVERED TO DREYFUS IN ACCORDANCE WITH SOBELL'S DESIRES. NO INFO. OF INTELLIGENCE SIGNIFICANCE DISCUSSED.

WHELAN

FRE: 1J

cc - New York (100-37158)

Mr. Boardman

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 1-7-84 BY SP2 TAC/ci  
OK# 77 CIV 969

RECORDED - 17

27 AUG 30 1954

60 SEP 9 1954

Approved:

Special Agent in Charge

Sent

Per

BRANIGAN

DIRECTOR, FBI

August 31, 1954

SAC, LOS ANGELES (100-45973)

HELEN SOBELL;  
SECURITY MATTER - C.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/87 BY 3042 *fwl-DE*

Relet San Francisco to the Director, captioned,  
"MORTON SOBELL, ESPIONAGE - R," dated August 17, 1954, with  
cc to Los Angeles and New York.

Relet reflected that information concerning subject's  
Los Angeles address as furnished by the Warden of Alcatraz  
apparently conflicted with the information previously  
furnished by Los Angeles.

When HELEN SOBELL left San Francisco she apparently  
did not know where she would stay and therefore indicated  
a mail address care of WIDGE NEWMAN, 2290 Edendale Avenue,  
Los Angeles, California. WIDGE NEWMAN is the subject of  
pending Los Angeles file 100-44995, and included on the  
Communist Index. NEWMAN is presently the Chairman of the  
Los Angeles Rosenberg-Sobell Committee according to  
a letter dated 8/26/54 to SA ROBERT J. BARRY.

Upon arrival in Los Angeles HELEN SOBELL was taken  
to the home of ISIDORE and FRANCES MIDLER, 3557 Meier Street,  
Venice, California, both of whom are Security Index subjects.  
Since then HELEN SOBELL has resided with them, and uses that  
address as well as WIDGE NEWMAN's address as her mailing  
address.

REGISTERED

RJB:bla

cc: Bureau 101-2453 (M. SOBELL)

San Francisco (65-4223) (M. SOBELL) (REGISTERED)  
(100- ) (H. SOBELL)

New York (100- ) (H. SOBELL) (REGISTERED) 101-2483-  
LA 65-5082 (M. SOBELL)

5 SEP 1954 101-44995 (W. NEWMAN)

Classified by 2345  
Exempt from GDS Category  
Date of Declassification Indefinite

181

FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE  
COMMUNICATIONS SECTION

SEP 1 1954

TELETYPE

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/87 BY 3042 fwt-Dye

Mr. Tolson \_\_\_\_\_  
Mr. Boardman \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Belmont \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Parsons \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tamm \_\_\_\_\_  
Mr. Sizoo \_\_\_\_\_  
Mr. Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Holloman \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

FBI, SAN FRANCISCO

9-1-54

8-33 PM PDST

MLP

DIRECTOR, FBI

DEFERRED

MORTON SOBELL, ESPIONAGE DASH R. BUFILE ONE ZERO ONE DASH TWO FOUR EIGHT THREE. SOBELL VISITED BY HIS ATTORNEY BENJAMINE DREYFUS ON AUGUST THIRTYONE, FIFTYFOUR. WAS REINTERVIEWED TODAY BY BUREAU AGENT AND PREVIOUS DISCUSSIONS CONTINUED. SOBELL HAS ADVISED HIS PARENTS, DREYFUS AND HIS WIFE OF VISIT BY BUREAU AGENT, BUT LETTERS CONTAIN NO FILIFICATION AGAINST AGENT AND CONTENTS OF THIS CORRESPONDENCE WITH PARENTS, WIFE AND DREYFUS AND DETAILED LETTER RESULTS OF INTERVIEW FOLLOW. DESPITE ABOVE, CONTINUED CONVERSATIONS WITH BUREAU AGENT AND FURTHER INTERVIEWS WITH HIM CONTEMPLATED.

6 SEP 9 1954  
HOLD -

Mr. Belmont

cc: BRANIGAN

ESP/ELC

X-13

## Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (101-2483)

DATE: 9/2/54

FROM : SAC, SAN FRANCISCO (65-4228)

SUBJECT: *Wgt* MORTON SOBELL, was.  
ESPIONAGE - RRe: SF letter 8/31/54  
SF teletype 9/1/54ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/87 BY 3042 *fwc* 10-1

In accordance with prior arrangements made with officials at Alcatraz Penitentiary, this office was advised on August 30, 1954, that BENJAMIN DREYFUS had made a request on that date to visit SOBELL. They stated that arrangements for this visit on August 31, 1954 had been made.

*Call*  
On August 31, 1954, Alcatraz officials also advised that SOBELL had addressed communications to his mother and father and to BENJAMIN DREYFUS, and that in each letter, he had made mention of the fact that he had been interviewed by an agent of the FBI. The contents of these letters were telephonically summarized and it appearing that there was no particular vilification of the agent, it was decided to proceed with the existing plan for further interviews with SOBELL, and accordingly arrangements were made for the further interview of SOBELL on September 1, 1954.

Upon the arrival of the agent at Alcatraz on September 1, 1954, a copy of a letter SOBELL had addressed to his wife was made available to the agent. A perusal of this letter disclosed that mention was made of the visit of the FBI agent. Inasmuch as the treatment of this subject in this letter was not critical, it was decided to proceed with the interview as previously planned.

Copies of the above letters are submitted herewith as enclosures to this letter for the information of the Bureau and the New York Office. With respect to the letter addressed by SOBELL to DREYFUS, in paragraph 4, SOBELL comments on the willingness of the agent to do anything to help him. In referenced San Francisco letter it was stated that SOBELL was definitely told by the interviewing agent that the latter could do nothing to help him and that it was entirely up to SOBELL to help himself. Also in this same paragraph, SOBELL mentions that he inquired precisely of the arrangements the FBI made to have him kidnapped from Mexico. He comments, "However, he did not promise to do this for me - - -" preferring to let the matter drop. In the referenced San Francisco letter, it will be noted that SOBELL was advised that his statement that the Mexican police were not acting upon their own did not make an established fact. He was further

FRE:lq  
(AIRMAIL) (REGISTERED)CC. NEW YORK (100-37158)  
(AIRMAIL) (REGISTERED) (ENCLOS.)

COPIES DESTROYED *Belmont* 9/17/54 EX-125  
" *Adg Tompkins* 9/20/54 *ap/lem*  
O MAR 13 1961

TO: DIRECTOR, FBI (101-2483)  
FROM: SAC, SF (65-4228)  
RE: MORTON SOBELL, was.

9/2/54

told that he was in error in this statement. It is noted in this letter that SOBELL also states, "Through a slight misrepresentation I had the impression that I was going to visit with you." (DREYFUS) This is apparently in accordance with the statement set forth in referenced San Francisco letter August 31, 1954 wherein SOBELL expressed resentment toward penitentiary officials for not having advised him that he was to be interviewed by an agent of the FBI.

With respect to the letter SOBELL addressed to his wife, it is noted that in paragraph 2 of this letter he again makes the statement, "Through a misrepresentation I was maneuvered into meeting with an FBI agent on Friday afternoon." This again follows the pattern of the statement set forth in his letter to DREYFUS. In this letter to his wife, his comments concerning the role of the "committee" are interesting, as is his statement, "The only policy we can adopt is to wait and see - - -, but be prepared for anything." This would seem to indicate that a doubt has been raised in the mind of SOBELL as to the actual motives and aims of this committee which was one of the objects that was hoped to be accomplished by the interview.

As was stated above, a review of these communications did not indicate any necessity for altering the pre-arranged plan for continuing interviews with SOBELL. Accordingly, he was interviewed by SA FRED R. ELLEDGE on September 1, 1954 from approximately 1:40 p.m. to 3:15 p.m. The agent told SOBELL at the outset that as agreed, he had made inquiry concerning the vaccination certificates and had been advised that the AUSA, New York had advised that these certificates could not be released to SOBELL at this time. It was pointed out to SOBELL that his premise that the FBI had these items and would say nothing was in error. As from the above advice, he could see that the certificates were accounted for and were being held in accordance with the desires of the AUSA.

SOBELL was next reminded of the previous suggestion made to him that there was no prohibition against any man trying to improve his position. It was pointed out to him that in considering this problem he should not confine his deliberations solely to his own plight, nor should he necessarily confine them to the welfare of Mrs. SOBELL, but should also consider the welfare of his children. He was reminded that they needed him, and he owed them, not himself, an obligation to do everything in his power to change his present condition. He was reminded that 4 years was a long time. To this remark he replied, "and no one knows it better than I." He was

TO: DIRECTOR, FBI (101-2483)  
FROM: SAC, SF (65-4228)  
RE: MORTON SOBELL, was.

9/2/54

then reminded that while 4 years was a long time, 30 years was considerably longer and that he should give serious consideration to doing everything and anything in his power to correct his present situation.

SOBELL remarked to this that he had tried various things and was still trying as was evidenced by the fact that he had had a conference with his other attorney on Tuesday. The agent advised SOBELL that his efforts were admirable, however was he certain that he had utilized the most effective means of accomplishing his purpose. He was told that only he could decide this question and that he should give it serious consideration.

SOBELL was next reminded of his previous statement to the effect that one of the troubles with the world today is that people are trying to improve their position by "cutting the throats of others." He was reminded that with respect to this observation that he no longer need have this fear regarding JULIUS and ETHEL ROSENBERG, that they could no longer be damaged by anything he might say. He was also reminded that they were no longer able to render him any help if they ever actually had been of any help to him. He inquired what was meant by that remark to which the agent replied that had he not initially associated with the ROSENBERGS he would probably not now find himself in his present position. He said that this was right, because had he not associated with the ROSENBERGS he would not have been included in their trial for disclosing Atomic secrets. The agent advised SOBELL that both he and the agent were aware of the fact that there were secrets other than "Atomic secrets." He was further reminded that during the course of his trial, he was not personally charged with passing Atomic information. He was reminded that he was tried on an indictment charging conspiracy and that the jurors who had heard the evidence had apparently decided in their own mind that he was a member of the conspiracy and bound by the overt acts of any member of the conspiracy. In other words, they apparently decided that he was a partner of a partnership formed for the purpose of passing information.

SOBELL, at this time, launched an attack upon the FBI agent who had, according to him, executed an affidavit leading to his arrest at Laredo, Texas. He said this agent had committed perjury in that he had stated under oath that he had received information concerning 5 separate contacts between SOBELL and JULIUS ROSENBERG and that this agent had never testified as to these 5 contacts. SOBELL inquired if the agent had read a transcript of the trial. He was advised that the agent had not done so. SOBELL was also told that his statement that the agent had committed perjury was not true. It was pointed out to SOBELL that the agent had stated under oath that he had received information concerning the purported visits and that no one could say that the agent had committed perjury since



TO: DIRECTOR, FBI (101-2483)  
FROM: SAC, SF (65-4228)  
RE: MORTON SOBELL, was.

9/2/54

it was the recollection of the interviewing agent that the FBI had received information concerning many more than 5 contacts between SOBELL and the ROSENBERGs.

SOBELL next stated that with respect to the trial, that 99 per cent of the information furnished by MAX ELITCHER was true, however, it was amazing how the other 1 per cent could be twisted around to give a false impression. He also added that DAVID GREENGLASS had committed perjury during the course of the trial. SOBELL was reminded that one of the functions of the jury is to hear the testimony of the various witnesses and to determine whether the testimony of that particular witness was truthful and to weigh the credulity of the witness. SOBELL was advised that it was always a simple matter to allege perjury on the part of anyone who furnished derogatory information, that this was a well known trait, that all persons appearing against another were perjurers. This feeling was not conclusive that perjury had been committed and again was a factor taken into consideration by the jury. He was also reminded that the judge in his instructions to the jury, as was well known to him, had stated that in determining whether he, SOBELL, was a member of the conspiracy, they were to consider only the testimony of ELITCHER, DANZIGER and the testimony relating to SOBELL's flight from the United States. On the basis of these instructions to the jury, allegations that perjury had been committed on the part of GREENGLASS would have no bearing on his, SOBELL's conviction. SOBELL stated that he was aware of these instructions on the part of the court but stated that it was his opinion that as usual instructions by the court to the jury was over the heads of the jurors and was not understood by them. The agent reminded SOBELL that he was aware of instances in the past wherein the verdict of the jury was entirely altered as a result of some minor instruction issued by the court. SOBELL admitted that it was possible that the jury might concentrate on some small portion of the court's instructions. He was reminded that admitting this, he could not make a blanket statement that the instructions issued by the court in his case were not followed or heeded.

SOBELL was next reminded of his observations concerning the change that he felt had occurred in him as a result of his confinement in prison. The agent advised SOBELL that it appeared that perhaps, unconsciously, other changes had also taken place in SOBELL. He was reminded that the interviewing agent had never seen him before the

TO: DIRECTOR, FBI (101-2483)  
FROM: SAC, SF (65-4228)  
RE: MORTON SOBELL, was.

9/2/54

preceding Friday and therefore was not in a position to fully evaluate any change that might have taken place in his temperament. However, it did appear to the interviewing agent that he, SOBELL, had grown cynical and had adopted the usual air of a con. The agent stated that he had observed this change in other prisoners of lesser intelligence than SOBELL but was rather surprised to find evidences of the same changes in SOBELL. SOBELL was advised that he reminded the agent of the case of THOMAS HENRY Mc MONIGLE, who was apprehended, tried and convicted, for the kidnapping and rape murder of a 17 year old high school girl. Mc MONIGLE never once professed his innocence or denied the charges against him. His sole statements were those damning the arresting officers, the officers of the court, the prison officials and any others who had brought him to justice. SOBELL stated that he could profess his innocence and deny any implication in the conspiracy as charged. He was reminded that he did not do so during the course of his trial and if he felt he could have done so, it is too bad that he did not. SOBELL admitted that he did not make this denial but excused his failure to do so as being on the advice of his attorneys. He said that he now felt that this was a mistake.

SOBELL next raised the question of his flight to Mexico. He said that he had prepared an affidavit in January of this year covering this point and suggested that the agent might review this affidavit regarding the question of his flight. The agent advised SOBELL that he was not so much concerned with what the latter might have placed in the affidavit as he was by a public statement made by Mrs. SOBELL at a convention held in Chicago in November, 1953. In this public statement, Mrs. SOBELL admitted their flight from this country and stated that they had made a mistake in thinking they could run away and escape. SOBELL was reminded that the chronology of events transpiring immediately preceding the flight of the SOBELLs was strongly suggestive of their desire to flee this country and the consequences of their acts.

SOBELL next inquired if the interviewing agent was aware of the fact that in the latter part of June, 1950, that SOBELL had completed the particular project upon which he had been working and was therefore in a position to take a vacation. The agent advised SOBELL that he was aware that just the opposite was true, that SOBELL, by his unannounced sudden departure before the completion of his assigned task, had seriously impeded the work and had necessitated the redoing of many phases of the work SOBELL had previously done.



TO: DIRECTOR, FBI (101-2483)  
FROM: SAC, SF (65-4228)  
RE: MORTON SOBELL, was.

9/2/54

He was apparently shocked by this statement and immediately wanted to know who could have made such charges against him. He was advised that had only one person made such a statement it could be largely discounted but that several separate individuals had furnished this information and that it was not felt that their information was "perjured." It was pointed out that conceivably some of these persons may have had a personal grudge against SOBELL, and for this reason may have made statements damaging to him. He denied that to his knowledge anyone was angry with him and would make such statements out of spite. He was reminded that this being so there appeared no reason for these persons to furnish false information concerning the status of his work at the time of his departure.

SOBELL next stated that it appeared that the agent had adjudged him guilty and that apparently his opinions were colored thereby. He was told that it was not the function or duty of the agent to judge him, that this was the function of the court and jury and that this function had been performed by them. He was told that the agent was influenced solely on the basis of information furnished concerning the past activities of SOBELL, and that on the basis of this information, there could be little doubt.

SOBELL next stated that he felt that the agent was under an illusion that he, SOBELL, could say or do something to better his position. To this the agent inquired, "Is it you or I who is under the illusion? It appears that it is you who are under the illusion that you can do nothing to help yourself. Don't sell yourself short. It is my opinion that you can do more to help yourself than all the attorneys, all the committees, or all your professed friends. Only you can do this."

SOBELL professed to not understand the significance of the above statement, at which time he was reminded of his statement that he could "change all this with just a dime." SOBELL was reminded that, at the time he made this statement, he must have had something definite in mind. SOBELL still professed to not know the significance or meaning of the above statement, at which time he was told that by way of refreshing his recollection as to the balance of his conversation, he had stated that there was an FBI agent in New York by the name of HARRISON, HARRINGTON or some such name, who would be very anxious to hear from him and receive information from him. SOBELL was reminded that, at that time, he had some definite opinion in his mind but that it must now be clear to him that it took more than a dime. SOBELL remarked that this statement apparently had more than one meaning,

TO: DIRECTOR, FBI (101-2483)  
FROM: SAC, SF (65-4228)  
RE: MORTON SOBELL, was.

9/2/54

and the agent replied that it did and he was again reminded that it was necessary for him, SOBELL, to have more than a dime to take such a step. After some pause, SOBELL remarked that the agent must be aware of the fact that the judge could do nothing after 60 days beyond the appeal date where a prisoner had been sentenced. It was pointed out to SOBELL that this being so did not necessarily mean finality and that nothing more could be done. At this point, SOBELL was reminded of his previous admission that he had made a mistake when he did not testify. He was admonished not to make another mistake. It was pointed out to him that if he had hesitated upon acting through any feeling of martyrdom that he should put such thoughts from his mind and should consider solely what would be to the best interest of himself, his wife and family. It was pointed out that likewise, perhaps, the activities of Mrs. SOBELL were being carried out because she felt that SOBELL desired her to do so to enhance his position as a martyr. SOBELL was reminded that he had explored various possibilities of improving his position and was again impressed with the obvious desirability of utilizing the best methods, and it was suggested that he should give serious consideration to this.

SOBELL was advised that upon the receipt of the items of personal property previously discussed with him from New York or upon receipt of information regarding the opinion of the AUSA regarding the disposition of other items of personal property, he would be recontacted by the agent. He was advised that if, in the meantime, if for any reason he desired to contact the agent, he should make his desires known to the warden.

It appeared that SOBELL was deeply disturbed by the above topics discussed with him. It is the opinion of this office that he should not be recontacted in the immediate future, but that a definite topic should be available for discussion with him at the time of the next approach. It is therefore suggested that the New York Office expedite the return of the personal property items mentioned on page 1 of the referenced San Francisco letter of August 31, 1954, and that these items be photostated prior to their return in accordance with the expressed desires of the AUSA, New York City.

August 29, 1954

Mr. B. Dreyfus  
57 Post St.  
S.F., Calif.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/87 BY 3042 *put-Ale*

Dear Mr. Dreyfus

I had a visit from an F.B.I. Agent Friday afternoon. Thru a slight misrepresentation I had the impression that I was going to visit with you.

The ostensible reason for his visit was to inform me that various documents which were purportedly taken from me at the time of my arrest, were now about to be released to me. He made clear that these were not all the ones in their possession and that others would be forth coming later. I told him that the proper procedure would be for him to send the documents to you, my attorney. This he said would be done.

On the list he read to me I did not notice the vaccination certificate which I know we had in our possession. I asked him if he would inquire about them. Being of a helpful nature he assented.

He was really a nice chap and professed to be interested in my welfare as well as my wife's. He personally thought that I was being "used" by some people with ulterior motives and wished very much that I would examine the matter. As I said he was a very nice chap but somehow I did not feel it proper to discuss such matters with him. However in urging me to take him seriously - and his willingness to do anything to help me--I could not resist asking if he would investigate to find out what precisely were the arrangements his organization made to have me kidnapped from Mexico. However he did not promise to do this for me--preferring to let the matter drop.

At one point, when I professed my innocence he said he wouldn't "buy it". And I said I wasn't selling anything. He was a very nice chap--he must have read Dale Carnegie, Advanced Course--you know--sincere.

The Contradictory aspects of Mr. Love's thinking are much beyond my simple mind. And as is usually the case one is not attracted to that which one cannot understand too well.

I was not at all impressed by his point of law re: the Lattran case nor do I think he really had too deep an understanding of the perjury point I am touting. In fact he misunderstood it apparently.

Our views co-incided quite closely on the Alcatraz point--what views there were. Thus I am agreeable to his working on it. He said he would send us the major cases involved, in several weeks, and the draft of the brief in two months. This is as good as I can expect and if it materializes I shall be well pleased. I do not know however what he did the past two months.

Since he did not feel it would awkward if I had someone else to work on the perjury point I am awaiting a conference with you to discuss the matter. Also I hope you were able to send for those cases I noted in a prior letter. I trust I will see you as soon as is convenient for you Morton Sobell

C O P Y

101-2483-1142

ENCLOSURE

8/31/54

Mrs Helen Sobell

2290 Edendale Place, L.A.

Sat. My sweet love--Sometimes like tonight-- I want to talk with you, and it is at such times I am sorely pressed to understand why you did not write to me each evening--while you were here in SF, for surely you were not pressed for time. What then? It was a very nice letter you wrote on Thursday, quite, quite nice in fact --As you remarked about some other action. I wonder--am I greedy that you could write me such-- and yet I complain and ask for more? No my love its merely that I don't understand. When you write all yours--I want to feel it to the utmost.

The evaluation from your end "cool and competent" reminds me of how they grade olives. The smallest are "giant size." I have come to the conclusion despite my words contrariwise that Mr Love does not like to have his clients meddling in legalisms. As a metter of fact he was quite certain that one of the difficulties has been that my past attys followed my advice too much. Can anything be more plain? Thru a misrepresentation I was manouvered into meeting with an FBI agent on Fri afternoon. The most amazing thing of it is that some of the ideas I heard expressed then were identical with those I heard on Thurs. Inconceivable? This I think warrants your closest consideration. The ideas concerned the role of the committee. The only policy we can adopt is to wait and see--but be prepared for anything. Its merely an awareness which you should have--a cognizance. Please respond to this so that I may know your position. I'm afraid that in some previous letters, I have asked you to answer specific points you neglected to do so (recent letters, I mean). I find that Love had done almost no work in preparation for the conference. He reminds me so much of Kintz in that respect.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 4/17/87 BY 3042 Jut-DK

I was never to Farmers Market--but I heard about it. 'Someday' Yes? It was very warming to think that we were both in such deep thought Wed eve., and that for a long time--and that was quite nice. Such a term leaves no doubts. Hello Darling-- I wonder if you recall how on a previous visit you spoke to me of a Hi Q episode (nothing to do with IQ) when it was merely high frequency? I couldn't understand how you could be so loose about such terms. If you recall viscous damping (which was undoubtedly present) makes for a low Q. No? Thats the first (or frost) order term of the differential equation. Yes?

I don't understand your brainstorm re Marshall and Joe. Do you mean for me to take out time from our visits?? Are you mad? Aside for this there are other factors involved, I believe make it impossible. But clarify it my love. Goodnite (I'M afraid I didn't get the meaning of the "sic" after your 3pm goodnit --my dictionary is a poor one) I love you my Helen, your Morty. My Darling it was so nice to get your Sat letter tonite and the three used up lip stick kisses too-- they were so sweet. Silly you needn't apologize for typing one letter. Its only when you type 5 or 6 consecutive ones that I feel a little bad. Got a letter from Syd (no date) with some stuff she wrote re Mexico. It occurred to me darling that Love will most certainly not go along with a J'Accuse approach. Its quite obvious from all he said isnt it?

Tues. Most sweet Helen First, your notes which you mailed to me inadvertatly.. The Mail Officer says he got an empty unsealed envelope in the mail. I hope they are replacable. Yes.? I met with Dreyfus today - he's such a conscientious guy. It was a most refreshing discussion. I am very happy that he agreed to undertake the job of directing the research in the contemplated motion. He made it quite clear that he would not go any further viz to take it into court.

101-2483 1172

He pointed out that money is essential at this point (not for himself) So you have a problem - Naturally the exact purpose for which the money is being raised should not be broadcast at this time! Do you think you can get ahold of enough so that work can start immediately? I don't have to tell you how important I think this is. On this perjury motion, Dreyfus and I see eye to eye - really. It's a pleasure - I assure you. Nor did we have any point on which we differed. I will work on the legal aspect in the meantime (for what it's worth) and we'll have it all ready on a silver platter for the atty. who will undertake it. An advantage when it comes to getting a good man.

I find it very significant that Love did not care for Dreyfus to be present when he spoke to me. He couldn't have spoken to me as he did if Dreyfus were there. In a way an insult to my intelligence. The big joke was when he pointed out that Lavery didn't accept any money for the work he did for us???

You never told me about your office in L.A. (I asked) I doubt if Love will really do the brief himself - really amazing how much I can tell you about lawyers (Please don't take it too seriously) I do hope that Love won't be asking for more money (you think it's far fetched ?) because we have a better place for it now and then there'll be the atty. who presents the perjury motion. Goodnight my precious love - everything is OK at this moment. So maybe we can even have a date - dear dear wife - One kiss - for to fill they being full - Your Morty

MARK WAS TO THE MARKET TO GO MARKETING - I LOVE YOU - MORTY

Dearest Mother and Father: I am sorry you were so worried about me (and it's actually silly to think that I might be angry with you, over what?) but I did write you on the 28th of last month - and Helen wrote you too - when I learned you had not received my letter. I can't understand why my letters to you go astray. Incidentally what Zone are you in? You see - I don't get your envelope. Yes I had a visit with Mr. Love - but unfortunately I have become hypercritical of attorneys. For me an Attorney is not a person; he is merely the man who writes a brief. You look at him differently and you get a different result. We agreed that he will work on the Alcatraz Aspect of the case and leave the other Aspect which I have in mind for someone else to work on. And this suits me just fine. You see, he didn't think much of the point of law I wanted to Pursue the case on and so naturally I'm not too enthused about him. But please don't worry your head about all this - since it won't help matters. I'm just telling it to you for information. I expect to see Mr. Dreyfus this week and we'll proceed.

Odd how you keep reiterating that these are bad times - and that we must wait for better times before we can rely on anything. It's such a negative approach. One lives today - and it is foolish to think and speak of better times -- that are to come. That's the religionists approach. It is the better times that one fights for not waits for - or hopes for. The direction things appear to be moving - on the National scene - we'll really experience some bad times. That they're able to pass a bill which empowers them to dissolve Trade Unions at their mere whim bespeaks of a whole people "waiting for better times," - rather than striving for it. Yes - I know - from my ivory tower I can speak loftily.

I am worried about papa - and you tell me really so very little. What his condition is? You don't say one word. "He's alright - he'll get better" and some more such nonsense. Perhaps I should become angry with you that you don't really tell me - in any event I'm not angry - just perturbed. I hope you are visiting him as frequently as you are permitted. Being here I think of such.

I got a letter from Bob. <sup>Re: 10C</sup> To me its strange that one of our blood should be aggressive - to wit ~~Ellie~~. I can only hope that Bob's optimism about her out growing it is warranted. And then too, aggressiveness is not considered an undesirable characteristic in some circles. In fact to be cultivated. Her discussion about landscaping I could do with out. Odd, one of the popular magazines here is fully half devoted to landscaping. And it's a real enigma to me as many here are interested in it. Some deep psychology no doubt. I guess Bob doesn't really do too much to write about.

For the last two months it has been quite cold here - and a little nasty. In the last week it has begun to warm up so that I only use 2 blankets at night. And you with a heat wave there!

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/87 BY 3042/pwt/DK

ENCLOSURE

101-2483-1142

-4-



For a couple of weeks we had news over the radio - such as it is - 15 minutes each week day. And it was a revlation of the times - for me. But then it was changed to  $\frac{1}{2}$  hour music - jazz - and so I'm back to Time, Newsweek and U. S. News.

Several letters ago I wrote you about wanting an enlargement of one of the photos of Papa that were taken by our friend. I am still waiting. I know it must be more difficult for you without Papa and without Helen to tell you about me. But I know you must have seen ~~X~~ Morris - about whom you said nothing. 170/00.

One looks over the performance of the Congress and it without doubt takes the prize for having passed more unconstitutional laws than any other Congress. The only question that remains is whether the S. Ct. will not put on a similar performance. Such beautiful weather that I spent the whole week-end out in the Yard - doing nothing - except talk -

Friday, I had an unexpected visit from an F.B.I. Agent who professed to be interested in my welfare - and from his utter sincerity one could not doubt him for even a moment. It was very touching - really almost like a friend. He even called me "Mister" (in prison you know the term Mister is never used for an inmate- its very much like relationship that exists in the South between Negro and White) to prove it.

However I was reluctant to take him at his word - so much for that!

You write me that I should write you a few words. To waste a letter with a few words would seem like a crime to me - letters being as precious as they are - so please understand.

I have not read too much of late - very very few books left in the Library that I care to read at the moment. I guess I could read some Balzac - when I get in the mood - not now. I'm still working at the same job - and everything is as it was a month ago - and it will be as long as I stay here - if nothing gets fouled up. Sometimes one is surprised almost never pleasantly. Health - I've been doing well - one small cold in the past half year. I hope you won't forget to really give me a really true report on Papa - and I hope you're O.K. - inasmuch as you don't say anything to the contrary.

Odd how events on the international scene back these on the National Scene - or is it the other way around? Reading the news these days is often intriguing to me. The sun is setting over the Golden Gate and it would really look pretty if it weren't for the iron bars.

Say hello to every one - our friends - all my love your Son

Morty

MORTON SOBELL

C O P Y

- 5 -

CONFIDENTIAL

Assistant Attorney General  
William F. Tompkins

September 20, 1954

Director, FBI 101-2483-1142  
RECORDED-42

MORTON SOBELL, with aliases  
ESPIONAGE - R EX-130

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/87 BY 3042 fwt-DK

As you are aware, Sobell, a member of the Julius Rosenberg espionage network, is presently serving a thirty-year sentence in Alcatraz Penitentiary. His case has been appealed on numerous occasions and his last legal effort was a motion for leave to file a second petition for rehearing before the United States Supreme Court, which was denied on June 7, 1954.

It has been determined that Sobell is contemplating additional legal proceedings, in an effort to obtain his freedom, on the basis that an affidavit executed by an FBI agent in connection with Sobell's arrest at Laredo, Texas, was perjurious. Sobell has stated that this affidavit reported that there were five separate contacts between Sobell and Julius Rosenberg, but that the FBI agent never testified to these contacts at the trial. It is believed that Sobell is referring to a sealed complaint which had been drawn up on August 3, 1950, by Myles J. Lane, then Chief Assistant United States Attorney, Southern District of New York, and filed by Special Agent Rex I. Shroder of the New York office of the FBI, which charged Morton Sobell with espionage conspiracy and alleged as overt acts five separate contacts between Sobell and Julius Rosenberg.

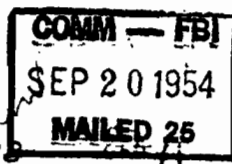
Your attention is invited to the report of Special Agent Rex I. Shroder, dated August 5, 1950, in this case, which reports the filing of this complaint. This report was furnished to the then Assistant Attorney General, James McInerney.

The foregoing is furnished for your information.

APPROPRIATE AGENCIES  
AND FIELD OFFICES  
ADVISED BY ROUTING  
SLIP OF  
DATE 10-18-54

Tolson \_\_\_\_\_  
Boardman \_\_\_\_\_  
Nichols \_\_\_\_\_  
Belmont \_\_\_\_\_  
Harbo \_\_\_\_\_  
Mohr \_\_\_\_\_  
Parsons \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tamm \_\_\_\_\_  
 Sizoo \_\_\_\_\_  
Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holloman \_\_\_\_\_  
Gandy \_\_\_\_\_

APP:cm  
101-2483



EST-1021ICE  
REC.D BEGWOHL

58 SEP 23 1954

20

CONFIDENTIAL

WAB-Dee  
27-35-50  
10/2/55

12 21 PM  
READING ROOM

CONFERENCE

WAB:2  
APV



## Office Memorandum • UNITED STATES GOVERNMENT

TO : A. H. Belmont

DATE:

September 3, 1954

FROM : W. A. Branigan

SUBJECT: MORTON SOBELL, was.  
ESPIONAGE - R

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 4/17/87 BY 3042 put D/O

Tolson \_\_\_\_\_  
Boardman \_\_\_\_\_  
Belmont \_\_\_\_\_  
Harbo \_\_\_\_\_  
Mohr \_\_\_\_\_  
Parsons \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tamm \_\_\_\_\_  
Trotter \_\_\_\_\_  
Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holloman \_\_\_\_\_  
Gandy \_\_\_\_\_

**SYNOPSIS:** Morton Sobell interviewed at Alcatraz 8/27/54 to determine disposition of specified items taken from him at time of arrest and to allow him to volunteer any information concerning espionage activities. Sobell requested items be given to his attorney, Benjamin Dreyfus, well known Communist lawyer. Possibility of unfavorable publicity in Communist press exists; interviewing agent requested no information from Sobell and made it clear any information would be voluntary. Sobell indicated he thought Director put him in Alcatraz and when advised this was the responsibility of Attorney General he stated he made no distinction between the Director and the Attorney General. He was informed of separation of functions of Director and Attorney General. Sobell indicated FBI arranged his arrest by Mexican police but when questioned he could furnish no facts; he also complained of his arraignment at Laredo, Texas, stating U.S. Commissioner did not refer him to an attorney. Interviewing agent suggested National Committee to Secure Justice in the Rosenberg Case was exploiting Sobell and his wife. Sobell said both he and his wife felt she had no desire to continue with the Committee and would rather be at home, but she felt she was "doing something." He said FBI sent anonymous letters to him in Federal House of Detention in NYC, accusing his wife of immorality; this was emphatically denied. Slip of paper removed from Sobell's person prior to interview had one notation which pertained to "Small-pox vaccination mine and Helen's." Sobell inquired about vaccination certificates for himself and his wife, which had been taken from him at time of arrest, and interviewing agent advised inquiry would be made about them and he would be advised later. Sobell stated prison life helped him overcome his reticence and develop an ability to mix with people. Sobell will be recontacted to sign authorization for disposition of articles and to discuss other items of personal property not discussed at this meeting.

**ACTION:** For your information. You will be kept advised of results of future interviews.

JPL:em

101-2483

Attachment

RECORDED - 116

SEP 10 1954

\* Not Released by U.S. Atty.

EX-124

5-204

San Francisco Office advised by attached letter, dated 8/31/54, that Morton Sobell was interviewed at Alcatraz Penitentiary on 8/27/54 for the ostensible purpose of determining the disposition he wants made of certain specified items taken from him at the time of his arrest and for the additional purpose of furnishing him an opportunity to volunteer information concerning his espionage activities. The possibility exists that unfavorable publicity may appear in the Communist press and for this reason the interviewing agent exercised extreme care in not requesting any information from Sobell and gave him to understand that any information furnished would be of his (Sobell's) own motivation. It appeared to the interviewing agent throughout the interview that Sobell possibly was attempting to twist questions and to infer some ulterior motive for each question asked and, in view of this fact, the interviewing agent stated future interviews with Sobell will be conducted with this thought in mind.

The items discussed with Sobell were those items which the United States Attorney of the Southern District of New York stated could be returned; other items considered by the USA to be of evidentiary value are being retained in the New York Office. Sobell requested the items be turned over to his attorney, Benjamin Dreyfus, well known San Francisco Communist attorney.

During the discussion Sobell asked why Mr. Hoover had him placed in Alcatraz Penitentiary. He was told the Director had no voice in the selection of a prison and he was reminded he had been sentenced to the custody of the Attorney General. Sobell replied he made no distinction between the Director and the Attorney General and he was informed there is a distinct separation of functions between the Director and the Attorney General in this regard.

00 30

Sobell voiced the opinion that his arrest by the Mexican police was arranged by the FBI, but, when asked what basis in fact he had for this statement, he could not furnish any, however, he stated he was certain of this. The interviewing agent asked him if he was as certain of this as he was of the fact that Mr. Hoover was responsible for his incarceration in Alcatraz. Sobell also complained of his arraignment before the U. S. Commissioner at Laredo, Texas, and said the Commissioner had not referred him to an attorney but had advised him to sign a waiver of removal. He also said he was not given a hearing before a commissioner in New York. It is noted Sobell was arraigned before a Federal judge in the Southern District of NY on the basis of an indictment.

A discussion of the activities of the National Committee to Secure Justice in the Rosenberg Case, on his behalf, was had and it was suggested to Sobell that the Committee is exploiting both him and his wife for its own purposes. Sobell stated that his wife felt she was at least "doing something" in her work for the Committee. He did admit talking this matter over with his wife and they both felt she had no desire to continue these activities and would prefer to remain at home.

Sobell mentioned receiving anonymous letters, while in the Federal House of Detention in NYC, accusing his wife of immorality, and he inferred the FBI had sent such letters. The interviewing agent told Sobell emphatically that the FBI had nothing to do with any such letters or accusations and that such tactics were "damnable." The interviewing agent assured Sobell that neither the interviewing agent nor any other FBI agent known to him could possibly be responsible for such activities.

Sobell also inquired concerning the vaccination certificates of his wife, daughter and himself, taken from him at the time of arrest. In this connection it is noted that prior to the interview, prison authorities removed from the subject a slip of paper and written thereon were notes. Among these notes was the following:

- "2. What is necessary to show 'knowing use' (in case of Government Agent)"  
Beneath this appeared a notation -  
"Small-Pox vaccination mine and Helen's."

Sobell was advised inquiry would be made concerning these vaccination certificates and he would be recontacted. SF is aware that these items have not been released by the U. S. Attorney as they are evidence of Sobell's flight and he will be advised on the next visit that the USA has not released these items.

Recontact will be made with Sobell regarding the vaccination certificates and to obtain written authorization from him to deliver the items to his attorney. The interviewing agent states he feels such recontact possibly might develop a personal relationship leading to an eventual discussion of espionage activities.

It is interesting to note Sobell stated he feels his confinement in prison has helped him in a large measure to overcome his former reticence and has developed in him an ability to mix with other people. He said he had more intimate contact with more people in prison than a person normally has on the outside. Sobell also commented it was flattering to be addressed "Mr." in Alcatraz and he obviously was impressed with the courtesy extended to him by the interviewing agent.

JK

20  
WAB-2

# ice Memorandum UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (101-2483)

DATE: 8/31/54

FROM : SAC, SAN FRANCISCO (65-4228)

SUBJECT: MORTON SOBELL, was.  
ESPIONAGE - R

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/87 BY 3042 put Dtc

Re: SF Airtel 8/27/54.

MORTON SOBELL was interviewed by SA FRED R. ELLEDGE of this office at Alcatraz Penitentiary from approximately 1:20 p.m. to 3:00 p.m. on August 27, 1954. At the time SOBELL first confronted SA ELLEDGE he expressed surprise at the visit and indicated that he had expected a visit from his Attorney BENJAMIN DREYFUS. He expressed resentment at penitentiary officials for not having advised him that he was to be interviewed by an Agent of the FBI.

At the outset of the interview, SOBELL was advised that certain items of personal property taken from him at the time of his arrest had now been released by the court and upon authorization of the U.S. Attorney at New York, he was being contacted to determine what disposition he wished made of these articles. He advised that he desired these items to be surrendered to his attorney, the above-mentioned BENJAMIN DREYFUS at the latter's office at 57 Post Street, San Francisco, California. SOBELL almost immediately suggested that contained in the items removed from him was the returned portion of an airline ticket for SIDNEY SOBELL and that he was desirous of obtaining this. He indicated that attempts had been made to obtain a refund on this ticket from the airlines but that such refund was not possible until surrender of the ticket. He was advised that this ticket was one of the items that the U.S. Attorney had authorized to be returned to him.

Reference is made to New York letter to Director dated May 28, 1954, wherein was set forth a list of property maintained in the New York Office or in the office of the U.S. Attorney that was taken from SOBELL. The following items set forth in this list were discussed with SOBELL: Items 1, 7, 18, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 36, 37, 38, 39, 40, 41. It was explained to SOBELL that the above items were only a portion of the items being held and that the U.S. Attorney, New York City, had under consideration other items and that upon his decision to release further items, the same would be discussed with SOBELL.

RECORDED - 116

101-2483-1144

The New York Office is requested to forward the above items office for disposition as requested by SOBELL.

FRE (REGISTERED)

INDEXED - 116

27 SEP 1954

CC NEW YORK (100-37158) (ALL) (REGISTERED)

55 SEP 16 1954 COPIES DESTROYED

11 0 MAR 13 1961

TO: DIRECTOR, FBI (101-2483)  
FROM: SAC, SF (65-4228)  
RE: MORTON SOBELL

8/31/54

SOBELL inferred that the interviewing agent was contacting him at the request of JAMES B. BENNETT, Director, U.S. Prisons. SOBELL was advised that BENNETT had no knowledge whatever of this visit and for that matter, while the warden of Alcatraz was aware that the agent was there the purpose of the contact was unknown to him and that any discussion or conversation between SOBELL and the interviewing agent should be confined to them.

SOBELL's next question was as to why Mr. HOOVER of the FBI had had SOBELL imprisoned at Alcatraz. He was advised that the Director had absolutely nothing to do with his confinement in Alcatraz. He was advised that he must be aware of the fact that the Federal Judge in sentencing him had directed that he be confined in an institution designated by the Attorney General. SOBELL next stated that the Director and the Attorney General were both a part of the Department of Justice and there was no distinction in his mind between them. He was again reminded that the Director had absolutely no voice in the selection of the institution in which he was to be confined and that despite his feeling there was a distinct separation of function between the Director and the Attorney General in this regard.

SOBELL stated he would next like to be advised regarding his kidnapping by the Bureau. The writer advised him that he had no way of knowing what SOBELL was talking about. He then stated that he had reference to his arrest by the Mexican police and his subsequent kidnapping and transportation by them to the Mexican border. He stated that he was convinced in his own mind that the Mexican police was not acting upon their own. He stated that his removal from Mexico without consultation with Immigration and Naturalization Service authorities and the refusal of the Mexican police to allow him to contact the American Embassy in Mexico City were indicative to him that the FBI had arranged the whole thing. SOBELL started right on to the next topic when he was interrupted by the interviewing agent and it was pointed out to him that he made the statement that the Mexican police were not acting upon their own and thereupon considered this an established fact. He was asked the basis for his statement that the Mexican police were not acting upon their own. When he replied that he was certain of this, he was asked if he was as certain of this as he was of the fact that Director HOOVER had been responsible for his incarceration in Alcatraz. He was again reminded that this was another point in which he was in error.

TO: DIRECTOR, FBI (101-2483)  
FROM: SAC, SF  
RE: MORTON SOBELL

8/31/54

SOBELL next complained of his arraignment before the U.S. Commissioner at Laredo, Texas. He stated that the U.S. Commissioner, rather than referring him to an attorney as to his legal rights had advised him that his signing of a waiver of removal would relinquish no rights on his part, except the matter of removal and the necessity of extradition. SOBELL was asked if he was not afforded a hearing before the U.S. Commissioner upon his return to New York. He denied that he had been afforded a hearing and insisted that upon the misrepresentation of the U.S. Commissioner at Laredo, Texas, he had been deprived of his legal rights. The actions and activities of the Committee to Secure Justice for MORTON SOBELL and the ROSENBERG case was broached to SOBELL with the query if he actually thought the activities of this committee was accomplishing anything in his behalf. It was suggested to him that this committee was actually using his name as an excuse to conduct rallies, collect funds, and further exploit his case as a cause celebre. It was also suggested to SOBELL that this committee was also using his wife and exploiting her for this same purpose and that she was being exhibited throughout the country and they were preying upon her remorse and feelings in this matter to further their own purposes. It was suggested to him that members of this committee who professed to be his friends would actually regret very much to see him transferred from Alcatraz since thereby they would lose the core of their cause for appealing for funds and "beating on the drum." It was suggested to SOBELL that the committee was not truly concerned about the welfare of MORTON SOBELL, for had they been, they would not have waited so long as they did before his name was ever mentioned. SOBELL tried to explain this by stating that it came under the heading of "strategy." The interviewing agent stated that this sounded as a rather weak explanation and it was again suggested that the welfare of MORTON SOBELL was not the primary purpose of their campaign.

SOBELL suggested that the interviewing agent had a very different "line" from that employed in New York. He said that in New York anonymous letters directed to him at the Federal House of Detention had been delivered to him by the warden of this institution. He stated that it was fundamental that this was in violation of prison regulations for the delivery of anonymous communications to a prisoner and that upon receipt of the second of such letters, it was apparent to him that these letters had been prepared at the instigation of the FBI.

SOBELL was sharply criticized by the interviewing agent for his accusation that the agent was using a "line." He was reminded that



TO: DIRECTOR, FBI (101-2483)  
FROM: SAC, SF  
RE: MORTON SOBELL

8/31/54

he was a highly intelligent man who could not be placed in the category of the common criminal and that it was an insult to the intelligence of the interviewing agent to be accused of trying to use a "line" toward him. It was pointed out to him that there came a time when actualities should be faced and that a distinction should be made between actuality and "a line." At this point, SOBELL apologized for his use of the word line and stated that he did not mean it in its usual connotation. SOBELL was next emphatically told that the FBI in New York or at any other place had anything to do with the accusations against his wife's morals. He was advised that in the opinion of the interviewing agent that such tactics were damnable and was assured that neither the writer nor any other FBI agent known to the latter could possibly be responsible for such activities.

At this point it might be stated that at the outset of the interview, SOBELL assumed a very superior air and had a smirk constantly upon his face. At about this point in the interview, it was noted that the smirk had entirely disappeared and SOBELL seemed to be deeply perturbed and concerned regarding the fact that his wife might possibly be being used by the committee. In justification of this he stated that in his opinion, perfection was hard to achieve in this world and that while Mrs. SOBELL may have felt that her present activities was not doing too much to accomplish the hoped for purpose, that she at least felt that she was "doing something." The interviewing agent suggested to him that this was undoubtedly true but that the members of the committee were still, nevertheless, preying upon her emotional feelings and were victimizing her for their own purposes. SOBELL admitted that he had discussed this matter with his wife and that both felt that she had no particular desire to continue with these activities, that she would much more prefer to remain at home.

SOBELL stated that if the efforts of the committee were not accomplishing anything, he wondered why "they" were so concerned over these activities. The interviewing agent told SOBELL that his use of the term "they" carried the connotation that myriads of agents and perhaps others were aware of and behind the suggestion made by the interviewing agent, and that this was not the case, that these comments were the sole observations of the interviewing agent given as the observations of a husband and father. The interviewing agent stated to SOBELL that he agreed with the latter's observation

TO: DIRECTOR, FBI (101-2483)

8/31/54

FROM: SAC, SF

RE: MORTON SOBELL

that perfection was hard to achieve in this world, but there was no prohibition against any man trying to improve his position. It was stressed to SOBELL that the interviewing agent could do absolutely nothing for him. He was advised that if he had been under any misapprehension or any misunderstanding concerning this, it should be made perfectly clear that the agent could do absolutely nothing for him. It was suggested that there was only one person who could do anything for him. At this point, SOBELL remarked, "No platitudes please." His remark was again immediately challenged and it was pointed out to him that he should make a distinction between platitudes and actuality.

SOBELL in commenting on the agent's remark that any man could improve his position, stated that in his opinion the world was full of too many people who were trying to improve their position, many by cutting the throats of others and inquired if the interviewing agent condoned such action. The agent stated that he definitely did not condone such action, however, he had heard that a gentleman by the name of MORTON SOBELL had at one time remarked that he could "change all this with just a dime." SOBELL asked what was the meaning of such a remark. Did it mean he should flip a dime for heads or tails or what was the meaning? He was reminded that this was a remark of MORTON SOBELL and that he should be aware of the meaning. After some pause, SOBELL remarked, "Well, I couldn't call from here for a dime anyway."

In enlarging upon his thesis that too many people were trying to improve their position, he commented, "There are many people who even hold ROCKEFELLER as an idol and a person upon whom they should model their lives." The interviewing agent stated that this was so and there were also those people who held up MARX as an idol. SOBELL said nothing more concerning this subject. Prior to the interview with SOBELL prison officials made available a slip of paper found on SOBELL's person as he was being taken to the interview room. The contents of this paper were as follows:

- A. - - Steps to be taken to substantiate perjury allegation - - -  
Material attorney in South
- B. - - Legal questions
  - 1. How much of material to be presented on initial motion for hearing?

TO: DIRECTOR, FBI (101-2483)  
FROM: SAC, SF  
RE: MORTON SOBELL

8/31/54

2. What is necessary to show "knowing use"  
(in case of Government Agent)  
Beneath this appeared a notation  
"Small-Pox vaccination mine and Helen's."

During the course of the conversation with SOBELL he stated that there were other items of personal property that had not been mentioned, including the vaccination certificate issued to him in Mexico for himself, his wife, and his daughter SIDNEY. With regard to these items, he stated that he considered there were three possibilities, (1) that the FBI had these items and would say nothing, (2) that they would admit that they had these items and return them or (3) that the U.S. Attorney had not consented to their return. He was advised that the interviewing agent had no present knowledge concerning these vaccination certificates, however, that inquiry would be made concerning the same. He was advised that his first premise was in error, that inquiry would be made concerning the same and that he would be subsequently personally advised concerning this matter. SOBELL seemed rather surprised at this statement and expressed an interest as to the outcome of the inquiry.

During the course of the interview, SOBELL stated that he felt that his confinement to prison had helped him in a large measure to overcome his former reticence and association with people and had developed in him an ability to mix with other people. He commented that it had been his observation that he had more intimate contact with more people while confined in prison than a person would normally have on the outside. Also during the course of the conversation SOBELL expressed regret over the fact that he and the interviewing agent were on opposite sides and had had to meet under these circumstances. The interviewing agent inquired as to what he meant by their being on opposite sides, to which SOBELL replied, "Well, you are on the outside, and I am on the inside." It was again suggested that he alone could remedy this condition. Also during the conversation, SOBELL stated that it was very flattering to him to be addressed by the title "Mr." in Alcatraz. He was immediately informed that the title "Mr." was not intended as flattery, that the interviewing agent would have no objection to them addressing each other by their given names. He said he realized that this would hardly be proper. He apparently was obviously impressed by the courtesy extended him.

TO: DIRECTOR, FBI (101-2483)  
FROM: SAC, SF  
RE: MORTON SOBELL

8/31/54

It might be pointed out that at the outset of the interview, the interviewing agent exhibited his credentials to SOBELL and inquiry was made if SOBELL had been expecting an agent from the FBI. He immediately inquired why he should be expecting an agent. He was advised there was no particular reason but that it was thought that this might be the case. SOBELL stated, "Oh, I thought you might have gained that impression from something I had said." He did not elaborate upon this statement. For the further information of the Bureau, it might be noted that no notes were taken during the above interview with the exception that the name and address of BENJAMIN DREYFUS was written and a notation was made concerning the vaccination certificates. With regard to the name BENJAMIN DREYFUS, the interviewing agent professed not to have heard of the name and asked SOBELL to spell it out. In spelling the name, DREYFUS, SOBELL spelled the letters D R E Y and paused, all the time closely observing the interviewing agent in the hope that the latter would complete the name without prompting from SOBELL.

As was stated above, SOBELL was advised that he would be personally advised regarding the vaccination certificates and further that as other items were released by the U.S. Attorney that they would, in turn, be discussed with him. It is the present plan of this office to have the interviewing agent visit SOBELL in the immediate future at which time he will be advised that the vaccination certificate had not been released by the U.S. Attorney. Upon the receipt of the other items of personal property discussed with SOBELL, he will be visited for the purpose of obtaining written authorization for the delivery of these items to BENJAMIN DREYFUS. SOBELL will thereafter at a suitable time be contacted regarding other items of property set forth in the referenced letter from the SAC, New York to the Bureau dated May 28, 1954. It is felt that in this way, continuing interviews can be had with SOBELL and a personal acquaintanceship and relationship established between him and the interviewing agent looking forward to the eventual discussion of espionage matters.

TO: DIRECTOR, FBI (101-2483)  
FROM: SAC, SF (65-4228)  
RE: MORTON SOBELL

8/31/54

It is realized by the San Francisco Office that there is every possibility of unfavorable articles appearing in the Communist press as the result of the above interview. For this reason, extreme care was used by the interviewing agent, particularly in respect that no request for information was made to SOBELL, and he was given distinctly to understand that any information would be given by him through his own motivation. It appeared to the interviewing agent throughout the interview that SOBELL was possibly attempting to twist the questions and discussions and to infer some ulterior motive and purpose for each question asked. Future interviews with SOBELL will be conducted with this thought in mind.

FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE  
COMMUNICATIONS SECTION

SEP 13 1954

TELETYPE

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Harbo	
Mr. Mohr	
Mr. Parsons	R-9
Mr. Rosen	
Mr. Tamm	
Mr. Sizoo	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

WASHINGTON FROM NEW YORK 11

DIRECTOR

....U R G E N T....

MORTON SOBELL, WAS, ESPIONAGE - R. RE SAN FRANCISCO LETTER SEPTEMBER TWO, FIFTY FOUR. ITEMS OF PERSONAL PROPERTY OF SOBELL AUTHORIZED TO BE RETURNED TO HIM WERE FORWARDED TO SAN FRANCISCO BY AIR MAIL SPECIAL DELIVERY THIS DATE. PHOTOSTATIC COPIES OF SAME RETAINED BY NEW YORK.

KELLY

SAN FRANCISCO ADVISED

END

NY R 11 WA FCH

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/87 BY 3042 put/DK

RECORDED - 162  
EX-128

101 - 2483 - 1145  
13 SEP 13 1954

cc Branigan  
55 SEP 14 1954 352



UNITED STATES GOVERNMENT

# Memorandum

TO: Mr. Wick

DATE: 10-21-63

FROM:

M. A. Jones

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/02 BY 3042 *just ddc*

SUBJECT:

ELLSWORTH BARNARD  
MARQUETTE, MICHIGAN

## BACKGROUND:

"The New York Times" issue of October 2, 1966, in its letters to the editor column carries a letter from captioned individual. In this letter, Barnard indicates that he had serious doubts at the time of the Rosenberg trial and, after reading the Schneirs' book, this doubt of guilt changed into a conviction of innocence. He states, "It supplies evidence, if not proof, that the [illegible] dated witnesses [illegible] evidence." He also indicates that the case against Morton Sobell "was a joke." He concludes his letter, calling for a full-scale public investigation by a Congressional committee.

## INFORMATION IN BUFILES:

Bufiles reflect that "The Chicago Daily News" issue of February 16, 1953, also carried a letter to the editor from Barnard. Again, he was critical of the death sentence imposed on the Rosenbergs and said that they were being made "scapegoats" because of Korea and other troubles. (100-387835-...)

In connection with our investigation of the "National Committee to Secure Justice in the Rosenberg Case," it was determined that on December 13, 1962, Ellsworth Barnard sent a check in the amount of \$5 to this Committee. On June 3, 1963, he again sent a check in the amount of \$10 to the Committee. (100-387835-2110-707)

In connection with our investigation of the "Committee to Secure Justice for Morton Sobell," the Boston Office advised that on February 27, 1968, a confidential informant had ascertained that Ellsworth and Mary Barnard had not lived in the Greenfield, Massachusetts, area for many years, but continued to make contact there. According to the informant, Ellsworth

Mr. Wick  
Mr. DeLoach

Mr. Wick  
Mr. Sullivan

Continued - Over

53 NOV 1 1966  
ENCLOSURE

CRIME RESEARCH

Best copy available

ORIGINAL FILED IN 100-387835-3154

M. A. Jones to Wick Memo  
RE: ELLSWORTH BARNARD

and Mary Barnard are man and wife and were former residents of Shelburne Falls, Massachusetts. The informant further stated that Ellsworth Barnard characterized himself while at Shelburne Falls as being "a free thinker, theorist, and writer." The informant stated that Barnard was formerly a Professor at the University of Maine and that he was then residing (1959) at Marquette, Michigan, and teaching either at the University of Michigan or Michigan State. (100-887835-2135)

RECOMMENDATION:

None. For information.

*P* *ways* *10/12* *JS*

# Letters to the Editor of The Times

## For Sobell Review

To the Editor:

At the time of the Rosenberg trial, though I had no grounds for questioning the verdict, I was appalled at the savagery of the sentence and the fanaticism of Judge Irving Kaufman's accompanying statement—and at the public acceptance of these.

Later I read the complete transcript of the trial, and was struck by the inconsistency and intrinsic improbability of much of the prosecution testimony and by the atmosphere of reality that surrounded the proceedings. I came away with grave doubts as to the guilt of the accused.

The Schneirs' book changed this doubt of guilt into conviction of innocence. It supplies evidence, if not proof, that the F.B.I. intimidated witnesses and forged evidence.

As for Sobell, the case against him was a joke. It rested almost solely on the testimony of a confessed perjurer. The verdict demonstrates not Sobell's guilt, but the intensity of the anti-Communist hysteria which then dominated the public mind. Moreover, the unique harshness with which Sobell has been treated shows that for four Presidential administrations political expediency was more important than justice.

Regardless of the outcome of the present proceedings in the Sobell case, what is called for is a full-scale public investigation by a Congressional committee of the whole case. The Justice Department itself should demand one.

ELLSWORTH BARNARD  
Marquette, Mich.

Oct. 14, 1955

Tolson \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Mohr \_\_\_\_\_  
Wick \_\_\_\_\_  
Casper \_\_\_\_\_  
Callahan \_\_\_\_\_  
Conrad \_\_\_\_\_  
Felt \_\_\_\_\_  
Gale \_\_\_\_\_  
Rosen \_\_\_\_\_  
Sullivan \_\_\_\_\_  
Tavel \_\_\_\_\_  
Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

DUPE

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/17/87 BY 3042 put-07c

The Washington Post and Times Herald \_\_\_\_\_  
The Washington Daily News \_\_\_\_\_  
The Washington Evening Star \_\_\_\_\_  
New York Daily News \_\_\_\_\_  
New York Herald Tribune \_\_\_\_\_  
New York Post \_\_\_\_\_  
The New York Times 38 \_\_\_\_\_  
New York World Journal \_\_\_\_\_  
New York World Journal Tribune \_\_\_\_\_  
The Baltimore Sun \_\_\_\_\_  
The Worker \_\_\_\_\_  
The New Leader \_\_\_\_\_  
The Wall Street Journal \_\_\_\_\_  
The National Observer \_\_\_\_\_  
People's World \_\_\_\_\_

ENCLOSURE

OCT 21 1955

101-2443

*James Earl Ray*  
*Oct 15, 1955*